

**MINUTES OF THE GENERAL MEETING
OF THE BIGFORK COUNTY
WATER AND SEWER DISTRICT**

The General meeting of the Bigfork County Water and Sewer District was held on August 10, 2022, at 1:00 pm at the district office. Board President Cahill presided.

ATTENDEES:

Directors: Seth Price, Jerry Turley, Alida Tinch, Tom Cahill
District: Julie Spencer, Luisa Generoso, Cindy Inabnit, Sergio Lopez
Engineering: Jeff Cicon P.E, Morrison Maierle, Ben Miller, Morrison Maierle
Public: Paul Holland, Cheryl Holland, Joan Davis

Pledge of Allegiance

Public Comment: Non-Agenda Items – None

READ AND APPROVE MINUTES

The minutes of the July 13, 2022, General Board Meeting were reviewed for approval. Cahill called for a motion to approve the minutes. Turley made a motion to approve the minutes. Price seconded, and it was unanimously,

RESOLVED, That the minutes of the July 13, 2022, Board Meeting be approved.

READ AND APPROVE AGENDA

Cahill asked for discussion, no further discussion. Cahill called for a motion to approve the agenda. Tinch made a motion to approve the agenda. Turley seconded, and it was unanimously,

RESOLVED, That the agenda be approved.

CONSENT AGENDA

Cahill asked for discussion, no further discussion. Cahill called for a motion to approve the consent agenda. Price made a motion to approve the consent agenda. Turley seconded, and it was unanimously

RESOLVED, That the consent agenda be approved.

Public Comment

OLD BUSINESS

Flathead County, Regional Septage Receiving and Composting Facility

Recap on prior committee meeting (held on July 22, 2022, at the BFWS district office) whereby members of the construction committee of Bigfork water and Sewer, on behalf of the entire board, considered the use of BFWS farm property for Flathead County's Regional Septage Receiving and Composting Facility.

The recommendation at this time was to deny the use of BFWS farm property for Flathead County septage facility. Price made a motion to deny the use of BFWS farmland for Flathead County Septage Facility. Turley seconded, and it was unanimously,

RESOLVED, That at this time, BFWS farm property is not to be used for Flathead County Septage Receiving and Composting Facility.

Operator's Report: Lopez gave the report. Cahill questioned the feasibility of a leak detection study.

Updates on the Ridgeview lots awaiting DEQ approval and Settlement Project were given. Cahill asked for a motion to approve the operator's report. Turley made a motion to approve the operator's report. Price seconded, and it was unanimously,

RESOLVED, That the operator's report be approved as submitted.

Engineering Update:

Task Order #36: Bay Sewer Replacement Project

- Pavement overlay has been completed downtown. Concrete collars around valve boxes and manholes have been completed.
- LHC has requested substantial completion on the project. A walk-through was completed on June 30 and a punch list developed. LHC is working on the punch list items. Final Completion is scheduled for August 26.
- An additional sewer service to 360 Grand Drive was discovered. This brings the total services out of this building to three (3). LHC again called in an emergency locate request and reconnected this new service.
- LHC has not submitted a pay application this month.

Task Order #37: Water Tank and Transmission Line Project:

- DN Tanks completed pouring walls and has been installing their scaffolding for the roof. The crane has mobilized to the site to begin moving the panels into place.
- Ben Miller has been conducting weekly construction meetings on Tuesday at 1:30 pm to discuss the progress and any issues that come up as well as managing the day-to-day construction activities.

- S&L has submitted Application for Payment #7 for completed work to-date. Morrison-Maierle has reviewed the application and determined it to be correct and complete.

Board Action Item: *Payment Application #7 to S&L Underground, Inc. The Board has the following options:*

1. Approve Payment Application #6 to S&L Underground, Inc. in the amount of \$600,995.95 (+\$6,070.67 Gross Receipt Tax);
2. Other as recommended by the Board.

Cahill asked for discussion on payment application #7. Price made a motion to approve payment application #7 to S&L Underground in the amount of \$600,995.95 (+ \$6,070.67 GRT), Turley seconded, and it was unanimously,

RESOLVED, That payment application #7 in the amount of \$600,995.95 (+ \$6,070.67 GRT) be approved.

Task Order #39: Preliminary Engineering Report Update & Sewer Modeling

- Sewer system modelling was completed for the Wastewater PER and we are now in the process of putting together the stand-alone report. The Water PER is approximately 50% complete and is ongoing.

Funding Applications:

- **Montana Coal Endowment Program (MCEP):** Submitted May 19, 2022, allocated by the State Legislature. Anticipated award: Summer 2023.
- **DNRC-RRGL:** Submitted May 16, 2022, allocated by the State Legislature. Anticipated award: Summer 2023.

Development Review

The following table provides an update on the development projects in the District.

Development	Plan Status	Project Status
The Settlement	Approved by MMI	<ul style="list-style-type: none"> • Pre-construction conference held on 11/2/2021 • Bonding letter has not been received, status is unknown. • Plan for construction summer 2023 • Developer is planning to switch engineering firms.
Blenn St. Water and Sewer Extension	Not Submitted	<ul style="list-style-type: none"> • No update/status unknown
The Fort Subdivision	Approved by MMI	<ul style="list-style-type: none"> • Waiting on DEQ approval
Harvest Foods Sewer Main Relocation	Approved by MMI	<ul style="list-style-type: none"> • Construction completed • Waiting on easement document signatures and record drawings. • Need camera results from engineer.
Ridgeview Lot 5	Reviewed by MMI	<ul style="list-style-type: none"> • Reviewed plans and responded in a letter dated 1/31/2022. • Reviewed the resubmittal on 3/31/2022 and provided comments to Julie. • Waiting on MDEQ approval.
Saddlehorn No. 13	Not Submitted	<ul style="list-style-type: none"> • Met with Mike Fraser and Doug Peppmeier with TDH on 3/15/2022 • No plans have been submitted.
North Shore Woods	Not Submitted	<ul style="list-style-type: none"> • Met with engineer virtually on July 29 to discuss project.

		<ul style="list-style-type: none"> Discussed sewer routing, looping water mains, and general project plans.
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NEW BUSINESS

Water Rights/Water Compact:

- Discussion centered on serious concerns about BFWS being able to adequately serve the water needs of the community in view of priority water rights being awarded to tribal groups. Resolution to be drafted to dispute such controversial water rights distribution and forwarded to the DNR (deadline: December 6).
- Discussion on possibly hiring a lawyer whose specialty is water rights.

COMMITTEE REPORTS

Annexation, Main Extensions & Construction.....Helberg & Cahill

- Account 1799-00 and 1800-00 ongoing
- Ranch Contract – Spencer stated out attorney suggested developing a contract.
- Motor Coach
Discussion on result of water sample taken by Bigfork Motorcoach RV Resort. Because it was a bad sample, BFWS was required by DEQ to test its wells, incurring additional expense. There is a need for further discussion on being able to bill these entities for costs related to additional testing required of BFWS.

Purchase of Additional CD Investment –..... Price & Tinch

- FDIC Investments- Spencer will meet with the Committee members in the near future.

Employee Insurance, Compensation & Certification & Safety Helberg & Cahill

- Review of Employee Handbook – ongoing. Cahill previously stated that he would like to approve this during the review of the 2023 Budget.

Pretreatment RegulationsPrice & Tinch*

*Budget & Rate Structure *..... Helberg & Cahill*

- Asset Replacement Valuations
- Hook up Rates- ongoing to include a study of man hours and supply costs.

Rules & Regulations Price & Turley

- Rules and Regulations –Sent to Attorney for review after the Special Meeting on February 23, 2022.
- Rules and Regulations back from Attorney.

Cahill made a motion to accept the changes to our rules and regulations made by our Attorney. Tinch made a motion to accept the changes made by our Attorney. Turley seconded, and it was unanimously,

RESOLVED, That the changes to the BFWS rules and regulations made by our Attorney be accepted.

- Rules and Regulations board committee members will meet to look at comments, finalize changes, and be prepared to discuss at September meeting. Direct any comments to Spencer.

Farmland.....Helberg & Turley

COMMUNICATIONS

Letter Acct # 1799-00 (3-4 Cascade Ave. Duplex) was discussed.

Letter – Omvig, Hammer, Law, PC

- Discussion on staying on with our current law office, Hammer , Quinn and Shaw.

Cahill called for a motion to stay with Hammer, Quinn, Shaw, PLLC. Tinch made a motion to stay with Hammer, Quinn, Shaw, PLLC. Turley seconded, and it was unanimously,

RESOLVED, that BFWS would retain the services of Hammer, Quinn, Shaw, PLLC.

Cahill called for a motion to adjourn. Price made a motion to adjourn. Turley seconded, and it was unanimously,

RESOLVED, That the public meeting be adjourned at 1:50 pm.

Acting Secretary, Julie Spencer

Minutes approved by:

President, Tom Cahill

